

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
No. 5:14-CV-184-GCM**

DAVID E. PRESNELL,)
)
 Plaintiff,)
)
v.)
)
CAROLYN W. COLVIN,)
ACTING COMMISSIONER)
OF SOCIAL SECURITY,)
)
Defendant.)

ORDER

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing Defendant's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Defendant's motion, with Plaintiff's consent, to remand this action for further administrative proceedings and development, the Court hereby remands this case to Defendant, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings and development. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Shalala v. Schaefer*, 509 U.S. 292 (1993).

These proceedings will include further evaluation of Plaintiff's mental impairments and residual functional capacity. The Defendant will also consider the allowance of Plaintiff's subsequent application for supplemental security income benefits and whether it is relevant to the instant claim.

The clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: July 7, 2015



Graham C. Mullen
United States District Judge

